

(19)



Europäisches Patentamt

European Patent Office

Office européen des brevets



(11)

EP 1 325 738 A3

(12)

EUROPEAN PATENT APPLICATION

(88) Date of publication A3:

06.05.2004 Bulletin 2004/19

(51) Int Cl.7: A61K 7/48

(43) Date of publication A2:

09.07.2003 Bulletin 2003/28

(21) Application number: 02028448.5

(22) Date of filing: 19.12.2002

Eingang
Dr. Weitzel & Partner
- 7. Mai 2004
RL: 06.05.04 VT: 06.10.04
Endtermin: 06.11.04

P16361EP

(84) Designated Contracting States:

AT BE BG CH CY CZ DE DK EE ES FI FR GB GR
IE IT LI LU MC NL PT SE SI SK TR

Designated Extension States:

AL LT LV MK RO

• Jones, Brian

Warwick, New York 10990 (US)

• Menon, Gopinathan K.

Wayne, New York 07470 (US)

• Kyrou, Christos D.

Goshen, New York 10924 (US)

• Traudt, Michael

Brookfield, Connecticut 06804 (US)

(30) Priority: 28.12.2001 US 34186

(71) Applicant: AVON PRODUCTS, INC.

New York, NY 10020-1196 (US)

(74) Representative: Weitzel, Wolfgang, Dr.-Ing.

Patentanwalt

Friedenstrasse 10

89522 Heidenheim (DE)

(72) Inventors:

• Mahalingam, Harish

Ledgewood, New Jersey 07852 (US)

(54) Topical lightening compositions and methods of use

(57) There is provided a topical lightening composition having a melanin synthesis-regulating agent and a vehicle. There is also provided a topical lightening composition having an extract of perilla leaf and a vehicle. There is also provided a topical lightening composition having a lightening agent selected from the group consisting of coconut water, palm water, palm nut milk, pe-

can nut milk, almond nut milk, cashew nut milk, walnut nut milk, concentrates of the foregoing, and any combinations thereof, along with a vehicle. The compositions and methods of the invention are effective to lighten skin, hair, lips, and/or nails.

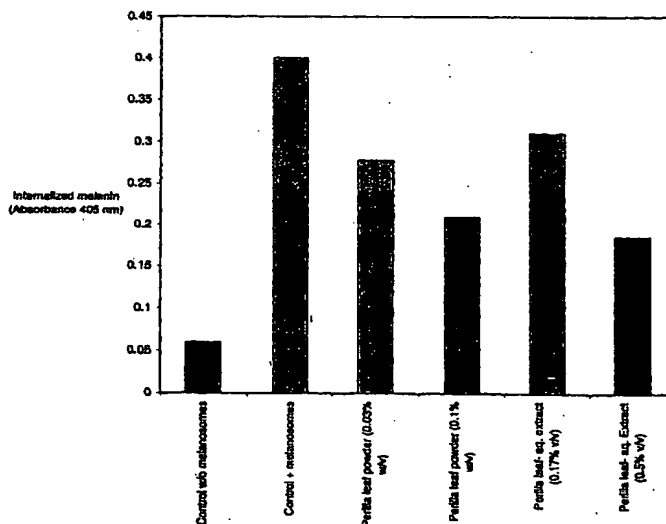


FIG. 1

EP 1 325 738 A3



European Patent
Office

PARTIAL EUROPEAN SEARCH REPORT

Application Number

which under Rule 45 of the European Patent Convention EP 02 02 8448 shall be considered, for the purposes of subsequent proceedings, as the European search report

DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (InCL7)
X	PATENT ABSTRACTS OF JAPAN vol. 18, no. 322, 20 June 1994 (1994-06-20) & JP 06 072838 A (NONOGAWA SHOJI KK), 15 March 1994 (1994-03-15) * abstract *	1-3,5, 10-15, 24-30	A61K7/48
X	WO 00 76458 A (COTY B.V. ET AL.) 21 December 2000 (2000-12-21) * claim 1; examples 1-4 * * page 2, line 1 - line 4 * * page 9, line 14 - line 18 * * page 9, line 23 - line 27 *	1-5, 10-13, 24-28	
X	DATABASE WPI Derwent Publications Ltd., London, GB; AN 2002-217489 XP002059795 & CN 1 323 577 A (LIU), 28 November 2001 (2001-11-28) * abstract *	1,2,5, 10-15	
			TECHNICAL FIELDS SEARCHED (InCL7)
			A61K
INCOMPLETE SEARCH			
<p>The Search Division considers that the present application, or one or more of its claims, does/do not comply with the EPC to such an extent that a meaningful search into the state of the art cannot be carried out, or can only be carried out partially, for these claims.</p> <p>Claims searched completely :</p> <p>Claims searched incompletely :</p> <p>Claims not searched :</p> <p>Reason for the limitation of the search: see sheet C</p>			
Place of search		Date of completion of the search	Examiner
BERLIN		16 March 2004	Alvarez Alvarez, C
CATEGORY OF CITED DOCUMENTS			
<p>X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document</p> <p>T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons a : member of the same patent family, corresponding document</p>			

EPO FORM 1533 03.02 (P4/C07)



European Patent
Office

**INCOMPLETE SEARCH
SHEET C**

Application Number

EP 02 02 8448

Claim(s) searched completely:
16-30

Claim(s) searched incompletely:
1-15

Reason for the limitation of the search:

Present claims 1-15 relate to products and methods defined by reference to functional properties of the compounds contained in the products, namely that they act as inhibitors of the enzymes DOPACHrome tautomerase and/or DHICA polymerase, that they act as melanin-synthesis regulating agents and that they act as melanin uptake-inhibiting agents.

The claims cover all compounds having these properties, whereas the application provides support within the meaning of Article 84 EPC and/or disclosure within the meaning of Article 83 EPC for only a very limited number of such compounds. In the present case, the claims so lack support, and the application so lacks disclosure, that a meaningful search over the whole of the claimed scope is impossible.

Consequently, the search has been carried out for those parts of the claims which appear to be clear, supported and disclosed, namely those parts relating to the compounds of claims 3-5, 7-9 and description, page 6 and for the general concept of the claimed functionalities.



PARTIAL EUROPEAN SEARCH REPORT

Application Number

EP 02 02 8448

DOCUMENTS CONSIDERED TO BE RELEVANT			CLASSIFICATION OF THE APPLICATION (mLCL7)
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	
X	WO 97 00892 A (THE GOVERNMENT OF THE USA ET AL.) 9 January 1997 (1997-01-09) * claims 34,37,38,40 * * page 32, line 10 - line 11 * * page 17, line 15 - line 27 * * page 18, line 5 - line 12 * * page 19, line 24 - line 28 * * page 20, line 8 - line 10 * * figure 1 *	1,2, 13-15	
X	US 5 993 835 A (YUTAKA MISHIMA) 30 November 1999 (1999-11-30) * column 1, line 23 - line 36 * * column 2, line 12 - line 24 * * column 3, line 12 - line 29 * * claim 1 * * formulations 1-9 *	1,2, 10-15	TECHNICAL FIELDS SEARCHED (mLCL7)
Y	---	6-9	
Y	US 5 980 904 A (AMWAY CORPORATION) 9 November 1999 (1999-11-09) * column 2, line 29 - line 31 * * column 2, line 65 - line 67 * * column 3, line 65 - line 67 *	6-9	
X	FR 2 041 400 A (BAUDOT) 29 January 1971 (1971-01-29) * examples 1,2,4 *	1,2,5,24	

	-/--		



European Patent
Office

PARTIAL EUROPEAN SEARCH REPORT

Application Number
EP 02 02 8448

DOCUMENTS CONSIDERED TO BE RELEVANT			CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	
A	<p>WO 99 49878 A (MARY KAY INC.) 7 October 1999 (1999-10-07)</p> <p>* page 3, paragraph 2 *</p> <p>* page 6, paragraph 1 *</p> <p>* page 11, line 11 *</p> <p>* page 12, line 7 *</p> <p>* page 17, line 3,4,19,20 *</p> <p>* page 18, line 15 *</p> <p>* page 19, line 12,13 *</p> <p>* page 21, line 8 *</p> <p>* page 22, line 11,12,15 *</p> <p>---</p>	<p>1,2,5, 13-15, 24,29,30</p>	
X	<p>DATABASE WPI Week 199538 Derwent Publications Ltd., London, GB; AN 1995-290282 XP002271585 & JP 07 187989 A (NAGASE SANGYO KK), 25 July 1995 (1995-07-25) * abstract *</p> <p>---</p>	16-23	<p>TECHNICAL FIELDS SEARCHED (Int.Cl.7)</p>
X	<p>DATABASE WPI Week 199538 Derwent Publications Ltd., London, GB; AN 1995-290281 XP002271586 & JP 07 187988 A (NAGASE SANGYO KK), 25 July 1995 (1995-07-25) * abstract *</p> <p>---</p> <p>-/--</p>	16-23	



European Patent
Office

PARTIAL EUROPEAN SEARCH REPORT

Application Number
EP 02 02 8448

DOCUMENTS CONSIDERED TO BE RELEVANT			CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	
X	<p>DATABASE WPI Week 199703 Derwent Publications Ltd., London, GB; AN 1997-029451 XP002271587 & JP 08 291057 A (YUTOKU YAKUHIIN KOGYO KK) , 5 November 1996 (1996-11-05) * abstract *</p>	16-21	
X	<p>--- EP 0 821 967 A (INSTITUTE FOR ADVANCED SKIN RESEARCH INC.) 4 February 1998 (1998-02-04) * claims 10,11 * * page 3, line 23 - line 45 * * examples 7,10 * * page 4, line 43 - page 5, line 32 * -----</p>	16-21	<p>TECHNICAL FIELDS SEARCHED (Int.Cl.7)</p>



European Patent
Office

Application Number

EP 02 02 8448

CLAIMS INCURRING FEES

The present European patent application comprised at the time of filing more than ten claims.

- ☐ Only part of the claims have been paid within the prescribed time limit. The present European search report has been drawn up for the first ten claims and for those claims for which claims fees have been paid, namely claim(s):
- ☐ No claims fees have been paid within the prescribed time limit. The present European search report has been drawn up for the first ten claims.

LACK OF UNITY OF INVENTION

The Search Division considers that the present European patent application does not comply with the requirements of unity of invention and relates to several inventions or groups of inventions, namely:

see sheet B

- ☒ All further search fees have been paid within the fixed time limit. The present European search report has been drawn up for all claims.
- ☐ As all searchable claims could be searched without effort justifying an additional fee, the Search Division did not invite payment of any additional fee.
- ☐ Only part of the further search fees have been paid within the fixed time limit. The present European search report has been drawn up for those parts of the European patent application which relate to the inventions in respect of which search fees have been paid, namely claims:
- ☐ None of the further search fees have been paid within the fixed time limit. The present European search report has been drawn up for those parts of the European patent application which relate to the invention first mentioned in the claims, namely claims:



European Patent
Office

LACK OF UNITY OF INVENTION
SHEET B

Application Number
EP 02 02 8448

The Search Division considers that the present European patent application does not comply with the requirements of unity of invention and relates to several inventions or groups of inventions, namely:

1. Claims: 1-15 24-30

Compositions containing a topical lightening agent which is an inhibitor of the DOPACHrome tautomerase or of the DHICA polymerase or of both enzymes and a vehicle.

Methods for lightening skin, hair and/or nails by applying topically the compositions above.

2. Claims: 16-23

Topical compositions containing an extract of perilla leaf and a vehicle.

Methods for lightening skin, hair and/or nails by applying topically perilla leaf extract compositions.

ANNEX TO THE EUROPEAN SEARCH REPORT ON EUROPEAN PATENT APPLICATION NO.

EP 02 02 8448

This annex lists the patent family members relating to the patent documents cited in the above-mentioned European search report. The members are as contained in the European Patent Office EDP file on
The European Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

16-03-2004

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
JP 06072838	A	15-03-1994	JP 2896815 B2	31-05-1999
WO 0076458	A	21-12-2000	DE 19927229 A1	14-12-2000
			CN 1353600 T	12-06-2002
			WO 0076458 A2	21-12-2000
			EP 1185244 A2	13-03-2002
			JP 2003501451 T	14-01-2003
			US 6551606 B1	22-04-2003
CN 1323577	A	28-11-2001	NONE	
WO 9700892	A	09-01-1997	AU 747814 B2	23-05-2002
			AU 3938100 A	17-08-2000
			AU 716849 B2	09-03-2000
			AU 6390496 A	22-01-1997
			CA 2224691 A1	09-01-1997
			EP 0833843 A2	08-04-1998
			ES 2169804 T3	16-07-2002
			JP 11508263 T	21-07-1999
			WO 9700892 A2	09-01-1997
			US 2003224972 A1	04-12-2003
			US 6579848 B1	17-06-2003
US 5993835	A	30-11-1999	JP 10298053 A	10-11-1998
			FR 2762784 A1	06-11-1998
US 5980904	A	09-11-1999	CN 1256914 A	21-06-2000
			EP 1002526 A1	24-05-2000
			ID 25773 A	02-11-2000
			JP 2000154136 A	06-06-2000
			KR 2000035398 A	26-06-2000
FR 2041400	A	29-01-1971	FR 2041400 A5	29-01-1971
			BE 749281 A1	01-10-1970
			CH 502768 A	15-02-1971
			DE 2019262 A1	12-11-1970
			ES 378970 A1	01-08-1972
			IT 1028506 B	10-02-1979
WO 9949878	A	07-10-1999	AU 3368999 A	18-10-1999
			CN 1301170 T	27-06-2001
			WO 9949878 A1	07-10-1999
JP 07187989	A	25-07-1995	JP 2884466 B2	19-04-1999
JP 07187988	A	25-07-1995	JP 2952636 B2	27-09-1999

EPO FORM P449

For more details about this annex : see Official Journal of the European Patent Office, No. 12/82

**ANNEX TO THE EUROPEAN SEARCH REPORT
ON EUROPEAN PATENT APPLICATION NO.**

EP 02 02 8448

This annex lists the patent family members relating to the patent documents cited in the above-mentioned European search report.
The members are as contained in the European Patent Office EDP file on
The European Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

16-03-2004

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
JP 08291057 A	05-11-1996	NONE	
EP 821967 A	04-02-1998	AU 734341 B2	14-06-2001
		AU 3243297 A	12-02-1998
		CA 2212314 A1	02-02-1998
		CN 1176098 A	18-03-1998
		EP 0821967 A1	04-02-1998
		JP 10095735 A	14-04-1998
		TW 492865 B	01-07-2002
		US 5882664 A	16-03-1999

EPO FORM P459

For more details about this annex : see Official Journal of the European Patent Office, No. 12/82

THIS PAGE BLANK (USPTO)